

HINSHAW

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September 10, 2012

VIA ELECTRONIC FILING

Hon. Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Zimmerman, et al. v. Poly Prep Country Day School, et al.*
Docket No. 09-cv-4586 (FB)(CLP)

Dear Judge Pollak:

We represent Robert Herrmann in this action and write to clarify the Court's Order, dated September 10, 2012, directing all parties to appear at the conference scheduled on September 14, 2012. As the Court has dismissed the state law claim that had been pending against Mr. Herrmann by Memorandum and Order, dated August 28, 2012, he is no longer a party in this action. Therefore, we respectfully submit that Mr. Herrmann's appearance is not necessary at the September 14th conference.

We thank the Court for its consideration in this matter.

Respectfully submitted,

HINSHAW & CULBERTSON LLP

By: s/Concepcion A. Montoya
Concepcion A. Montoya (CM-7147)

cc: Via ECF
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Kimberly L. Buffington, Esq.
Edward Flanders, Esq.
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Matthew Fishbein, Esq.

*Mr. Herrmann need not
appear. So Ordered*

/s/ CHERYL POLLAK
hms
9/11/12